

WILSON, ELSER, MOSKOWITZ
ELDEMAN & DICKER, LLP
Attorneys for the City Defendants
1133 Westchester Avenue
White Plains, NY 10604
(914) 323-7000
Attn: Lalit K. Loomba, Esq.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARC FISHMAN, INDIVIDUALLY, and on behalf of all others :
similarly situated, :
Plaintiff, : Docket No. 19 CV 265
(NSR)
:
-against- : DECLARATION OF
CITY OF NEW ROCHELLE, LANE SCHLESINGER SHEILD #: LALIT K. LOOMBA
1058, JOSEPH F. SCHALLER, ROBERT GAZOLLA, IN HIS :
OFFICIAL CAPACITY AS POLICE COMMISSIONER OF :
THE CITY OF NEW ROCHELLE POLICE DEPARTMENT, :
SERGEANT MYRON JOSEPH SHIELD #18, & COUNTY OF :
WESTCHESTER, :
:
Defendants. :----- x

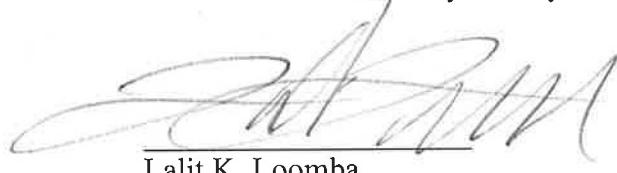
LALIT K. LOOMBA, an attorney an attorney duly admitted to practice law before the Courts of the state of New York and before the United States District Court for the Southern District of New York, hereby declares, under penalty of perjury and pursuant to 28 U.S.C. §1746, as follows.

1. I am Of Counsel to the firm Wilson, Elser, Moskowitz, Edelman & Dicker, LLP, attorneys for defendants City of New Rochelle, Commissioner Robert Gazzola, sued in his official capacity only (collectively, the “City”), Lane Schlesinger, Joseph F. Schaller and Myron W. Joseph (together with the City, the “City Defendants”).

2. I submit this declaration in support of the City Defendants’ motion to dismiss plaintiff’s amended complaint.

3. Annexed hereto as **Exhibit A** is a copy of plaintiff's amended complaint.
4. Annexed hereto as **Exhibit B** is a copy of Orders of Protection issued against plaintiff Marc Fishman.
5. Annexed hereto as **Exhibit C** is a copy of a Domestic Incident Report prepared by defendant Officer Schlesinger.
6. As set forth in the this Court's Order dated October 19, 2021, the orders of protection annexed hereto as Exhibit B and the domestic incident report annexed hereto as Exhibit C are properly considered on a motion to dismiss. *See* D.E. 38, at pp. 6-8.

I declare that the foregoing is true and correct. Executed this 26th day of May 2026.



Lalit K. Loomba